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Attorneys for Defendants
GILEAD SCIENCES, INC., JOHN C. MARTIN, JOHN F.
MILLIGAN, MARK L. PERRY, NORBERT W.
BISCHOFBERGER, ANTHONY CARRACIOLO and
WILLIAM A. LEE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

In re GILEAD SCIENCES SECURITIES
LITIGATION,

Master File No. C-03-4999-SI

CLASS ACTION

This Document Relates To:

ALL ACTIONS

**JOINT STIPULATION AND [PROPOSED]
ORDER EXTENDING TIME FOR
DEFENDANTS TO FILE ANSWER TO FIFTH
AMENDED COMPLAINT PURSUANT TO
CIVIL LOCAL RULE 6-2**

Dept.: Courtroom 10
Judge: Honorable Susan Illston

Trial Date: None set

WHEREAS, plaintiffs filed their Fifth Consolidated Amended Class Action Complaint for Violation of Federal Securities Laws ("Fifth Amended Complaint") on July 10, 2009;

WHEREAS, defendants Gilead Sciences, Inc., John C. Martin, John F. Milligan, Mark L. Perry, Norbert W. Bischofberger, Anthony Carraciolo, and William Lee (collectively, "Defendants") filed their Motion to Dismiss the Fifth Amended Complaint on August 12, 2009;

WHEREAS, the hearing on Defendants' Motion to Dismiss was held on October 9, 2009;

1 **WHEREAS**, the Court issued its Order granting in part and denying in part Defendants'
2 Motion to Dismiss the Fifth Amended Complaint ("Order") on October 13, 2009;

3 **WHEREAS**, pursuant to the Court's Order, Defendants must file an Answer to the Fifth
4 Amended Complaint on or before November 2, 2009;

5 **WHEREAS**, the Fifth Amended Complaint is 90 pages long and contains 298 paragraphs of
6 allegations;

7 **WHEREAS**, the parties have met and conferred and agreed to a two-week extension of the
8 deadline for filing Defendants' Answer to the Fifth Amended Complaint, from November 2, 2009
9 to November 16, 2009;

10 **WHEREAS**, if the Court extends the time for Defendants to file an Answer to the Fifth
11 Amended Complaint by two weeks, it will have no effect on the schedule for this case.

12 **NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED**, by and between the parties
13 hereto through their respective counsel of record, that Defendants shall have through and
14 including November 16, 2009 to file their Answer to the Fifth Amended Complaint.

15
16 **IT IS SO STIPULATED.**
17

18 Dated: October 23, 2009

COOLEY GODWARD KRONISH LLP

19 /s/ Matthew D. Brown

20 Matthew D. Brown

21 Attorneys for Defendants
22 GILEAD SCIENCES, INC., JOHN C. MARTIN,
23 JOHN F. MILLIGAN, MARK L. PERRY,
24 NORBERT W. BISCHOFBERGER,
25 ANTHONY CARRACIOLO and WILLIAM A.
26 LEE
27
28

1 Dated: October 23, 2009

KAPLAN FOX & KILSHEIMER LLP

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3
4 /s/ Laurence D. King

Laurence D. King

5 Liaison Counsel for Plaintiffs

6
7 Dated: October 23, 2009

COUGHLIN STOIA GELLER RUDMAN &
ROBBINS LLP

8
9
10 /s/ David J. George

David J. George

11 Co-Lead Counsel for Plaintiffs

12
13
14 Dated: October 23, 2009

MILBERG LLP

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16
17 /s/ Joshua H. Vinik

Joshua H. Vinik

18 Co-Lead Counsel for Plaintiffs

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20 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

21
22 Dated: _____

23 

24 _____
25 Honorable Susan Illston
26 United States District Judge
27 Northern District of California
28

ATTESTATION PURSUANT TO GENERAL ORDER 45

I, Matthew D. Brown, attest that concurrence in the filing of this Joint Stipulation and [Proposed] Order Extending Time for Defendants to File Answer to Fifth Amended Complaint Pursuant to Local Rule 6-2 has been obtained from each of the other signatories. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 23rd day of October, 2009, at San Francisco, California.

/s/ Matthew D. Brown

Matthew D. Brown